

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SAN FRANCISCO, CALIFORNIA

FILED

08 JAN 14 PM 1:22

RICHARD W. VIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODNEY MARTIN

Plaintiff,

vs.

CASE NO: CV 07-5747

Efm CW

**D. ANDREW BYRNE
ET AL**

Defendants.

_____ /

MOTION TO DISMISS /NON-SUIT DEFENDANTS FROM ACTION

1. Rodney Martin, Pro Se, respectfully moves this honorable court for dismissal of this action against defendants:

Charles Foster

Rebecca Foster


R.I. Refrigeration Supply Inc.

David Richardson

Defendants Charles and Rebecca Foster are no longer aligned with the activities outlined in the complaint. Defendant R.I. Refrigeration Supply and David Richardson has signaled the desired of the same.

The court is advised that services has not been perfected with these defendants, accordingly, Plaintiff notifies the court the aforementioned defendants are withdrawn from this action.

Respectfully submitted,



1-12-08

Rodney Martin

P.O. Box 1591

El Cerrito, Ca 94530

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CERTIFICATE OF SERVICE

I, RODNEY MARTIN, do hereby CERTIFY that a true and correct copy of the foregoing has been furnished to all parties of record as known to me and listed below by U.S. Postal Service, postage prepaid on this the 12th day of January, 2008; and consultation was held or attempted in good faith without resolution.

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JANELLE SKINNER-WEILL WINAN' WICHAPO TO INC. HC 75 Box 222 Merriman, Nebraska 69218	
RUBEN HERNANDEZ 309 Exeter St. Oldsmar, Fl 34667	
BEVERLY KENNEDY 3961 Merrill Rd Dallas, Tx 75229	

WITNESS MY SIGNATURE,


Rodney Martin, Plaintiff Pro Se


Date